

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE  
in its capacity as elected Office

Date of mailing (day/month/year)  
18 September 2001 (18.09.01)

International application No.  
PCT/US99/20840

Applicant's or agent's file reference  
278012001340

International filing date (day/month/year)  
10 September 1999 (10.09.99)

Priority date (day/month/year)  
11 September 1998 (11.09.98)

Applicant

DERVAN, Peter et al

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:11 April 2000 (11.04.00)☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Juan CRUZ

Telephone No.: (41-22) 338.83.38

**FOR THE PURPOSES OF INFORMATION ONLY**

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# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 20 OCT 2000

WIPO

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Applicant's or agent's file reference 278012001340	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/20840	International filing date (day/month/year) 10 SEPTEMBER 1999	Priority date (day/month/year) 11 SEPTEMBER 1998
International Patent Classification (IPC) or national classification and IPC IPC(7): A61K 48/00, 38/00; C12Q 1/68; C07H 21/04 and US Cl.: 514/2, 44; 436/6, 91.1; 536/24.5		
Applicant THE SCRIPPS RESEARCH INSTITUTE		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets.  
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

- This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 11 APRIL 2000	Date of completion of this report 28 SEPTEMBER 2000
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer <i>Karen A. Lacourciere</i> KAREN A. LACOURCIERE
Facsimile No. (703) 305-3230	Telephone No. (703) 308-0196

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/20840

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed \_\_\_\_\_
- ☒ the description:  
pages 1-31 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages 32-33 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, as amended (together with any statement) under Article 19  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages 8 \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the sequence listing part of the description:  
pages NONE \_\_\_\_\_, as originally filed  
pages NONE \_\_\_\_\_, filed with the demand  
pages NONE \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☒ The amendments have resulted in the cancellation of:**

- ☒ the description, pages NONE \_\_\_\_\_
- ☒ the claims, Nos. NONE \_\_\_\_\_
- ☒ the drawings, sheets/fig NONE \_\_\_\_\_

**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/20840

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. statement

Novelty (N)

Claims 1-12 YES  
Claims NONE NO

Inventive Step (IS)

Claims 1-12 YES  
Claims NONE NO

Industrial Applicability (IA)

Claims 1-12 YES  
Claims NONE NO

### 2. citations and explanations (Rule 70.7)

Claims 1-12 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest the methods of treatment using the polyamide as claimed.

NEW CITATIONS  
NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

national application No.

PCT/US99/20840

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

# PATENT COOPERATION TREATY

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## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>278012001340</b>	<b>FOR FURTHER ACTION</b> <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small>	
International application No. <b>PCT/US 99/ 20840</b>	International filing date (day/month/year) <b>10/09/1999</b>	(Earliest) Priority Date (day/month/year) <b>11/09/1998</b>
Applicant  <b>THE SCRIPPS RESEARCH INSTITUTE et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

a. With regard to the language, the International search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the International search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☒ furnished subsequently to this Authority in written form.

☒ furnished subsequently to this Authority in computer readable form.

☒ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☒ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

**4. With regard to the title,**

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

**5. With regard to the abstract,**

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

**6. The figure of the drawings to be published with the abstract is Figure No.**

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/20840

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K47/48

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 35702 A (GOTTESFELD JOEL M ;SCRIPPS RESEARCH INST (US); BAIRD ELDON E (US);) 20 August 1998 (1998-08-20) cited in the application page 16, line 25 page 9, line 30 - line 32; claims 19,20	1-12
A	WHITE ET AL: "recognition of the four Watson-Crick base pairs in the DNA minor groove by synthetic ligands" NATURE, vol. 391, 29 January 1998 (1998-01-29), pages 468-471, XP002072062 cited in the application the whole document	1-12

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

17 March 2000

Date of mailing of the international search report

24/03/2000

Name and mailing address of the ISA

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Authorized officer

Trifillieff-Riolo, S



**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/US 99/20840

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9835702 A	20-08-1998	AU 6151798 A	08-09-1998
		EP 0964703 A	22-12-1999
		US 5998140 A	07-12-1999
		AU 4145097 A	27-11-1998
		AU 6158898 A	09-09-1998
		AU 6255298 A	09-09-1998
		AU 6433498 A	09-09-1998
		AU 6757698 A	30-10-1998
		AU 7104098 A	24-11-1998
		EP 0973740 A	26-01-2000
		EP 0968186 A	05-01-2000
		WO 9837066 A	27-08-1998
		WO 9837087 A	27-08-1998
		WO 9845284 A	15-10-1998
		WO 9849142 A	05-11-1998